

23 MAR 1969

Approved For Release 2004/09/03 : CIA-RDP88-01314R000300350008-7

Police Arrest Two, Seize Hippie Paper

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Two persons holding copies of the current issue of the Washington Free Press were arrested and charged with possession of obscene literature as they stood across the street from the Bethesda police station late Friday.

Earlier in the day Montgomery County police removed about 100 copies of the underground newspaper from a music store in Bethesda.

The decision by police and County prosecutors to challenge the Free Press on obscenity grounds, combined with the expressed determination of the paper's editors to continue circulating the paper in the County, seems to set the stage for a prolonged confrontation.

Informed of the arrests, one Free Press editor said, "Out of sight. They're really blowing the issue. We're going to be all over Montgomery County now. We're going to go as far as they want to go."

He said future Free Press projects in Montgomery might include a "people's tribunal mock trial" of Circuit Court Judge James H. Pugh, who on March 3 directed a County grand jury to investigate the paper for possible subversive activities.

The editor, who identified himself only as "Tato," also said guerrilla theater productions may be staged in County courtrooms.

The current issue of the newspaper contains a five-page article critical of Pugh. Appearing with it is a suggestive caricature of a naked judge before a bench adorned with a whip and narcotics paraphernalia.

Montgomery State's Attorney William A. Linthicum Jr. said he discussed the caricature with police Friday before the arrests and told them he thought it warranted charges under the State law against possession of obscene literature.

Those arrested were Dillingham, 23, of

Bethesda, and a 17-year-old youth. Dillingham was charged with possession of obscene literature and released under \$300 bond. Trial was set April 7 in Bethesda People's Court. The juvenile was released to his parents.

Dillingham said they took positions across from the police station to "express my right and the right of everybody else to free speech and other guarantees of the First Amendment." Dillingham is executive secretary of Compeers, a Washington area social action group.

In the earlier incident Jim Seward, owner of Empire Music, Inc., 7815 Old Georgetown rd., said a County detective removed the 100 copies of the newspaper after saying it was "no longer approved." Seward said that he had agreed "to carry the paper as long as it was not disapproved by Montgomery County."

Linthicum and police said there was no concerted countywide drive to confiscate the paper or arrest persons possessing it.

Linthicum said it would be

premature to comment on other legal steps that might be taken against the paper, but refused to foreclose the possibility of other charges, including contempt of court.

In Prince George's County State's Attorney Arthur A. Marshall said he is considering requesting a circuit court injunction against sale of the Free Press to persons under 18.

Distribution of the free-wheeling journal of the hippie New Left among suburban school students has resulted in some student suspensions and numerous confiscations in recent week.

The Free Press article about Pugh included the suggestion that readers call or visit the judge. His unlisted phone number and Chevy Chase address were printed in the story.

The number listed as the judge's was not being answered yesterday.

Since Friday night a uniformed policeman has been stationed at the Pugh home around the clock. Police said the "precautionary measure" would continue "for several days."